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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,972	11/28/2000	Tomoko Yamaguchi	NAKI-BN18	6515
21611	7590	06/24/2005	EXAMINER	
SNELL & WILMER LLP 1920 MAIN STREET SUITE 1200 IRVINE, CA 92614-7230			DODDS, HAROLD E	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/723,972	YAMAGUCHI ET AL.	
	Examiner	Art Unit	
	Harold E. Dodds, Jr.	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 April 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 and 31-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9, 16-18, 31-33, 35-37, 39-41, and 43-48 is/are rejected.
- 7) Claim(s) 10-15, 19, 20, 34, 38 and 42 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 31, 32, 35, 36, 39, 40, and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miike et al. (U.S. Patent No. 5,787,414), Hisatomi et al. (U.S. Patent No. 6,546,192), and Herz (U.S. Patent No. 6,460,036).

3. Miike renders obvious independent claims 46-48 by the following:

"...a file storage unit operable to store a file that contains at least two pieces of data..." at col. 21, lines 53-56 and col. 22, lines 17-19.

"...each piece of data being video data or other data..." at col. 22, lines 17-19 and col. 42, lines 54-57.

"...each piece of video data containing a piece of numerical information..." at col. 22, lines 17-19 and col. 64, lines 48-52.

"...a segment judging unit operable to read a piece of data from the file stored in the file storage unit..." at col. 63, lines 32-39, col. 38, lines 15-18, and col. 21, lines 53-56.

"...and judge whether the piece of numerical information..." at col. 68, lines 32-39 and col. 64, lines 48-52.

"...has been extracted from the read piece of data..." at col. 21, lines 16-21, col. 38, lines 15-18, and col. 22, lines 17-19.

"...and a segment generating unit operable..." at col. 68, lines 32-39 and col. 48, lines 54-58.

"...if the segment judging unit judges that the piece of numerical information..." at col. 32-39 and col. 64, lines 48-52.

"...to generate a segment composed of pieces of video data..." at col. 48, lines 54-58, col. 68, lines 32-39, and col. 42, lines 54-57.

"...each of which contains a piece of numerical information..." at col. 64, lines 48-52.

"...that are present in the file until immediately before the read piece of data..." at col. 46, lines 13-18, col. 21, lines 53-56, col. 37, lines 13-15, col. 38, lines 15-18, and col. 22, lines 17-19.

Miike does not teach the use of time codes, the use of attempted extraction, and the use of non-extracted or rejected data.

4. However Hisatomi teaches the use of time codes as follows:

"...being a time code..." at col. 20, lines 49-54.

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"...being a time code from the read piece of data..." at col. 20, lines 49-54 and col. 15, lines 22-27.

"...being a time code..." at col. 20, lines 49-54.

It would have been obvious to one of ordinary skill at the time of the invention to combine Hisatomi with Miike to use time codes in order to designate the sequence of video segments in time order and reestablish this time order whenever the order of the segments is scrambled by transmission between systems. Miike and Hisatomi teach related applications. They teach the use of computers, the use of memory, the use of files, the use of segments, the storing of data, the searching for data, and the use of video. Miike provides file storage units, position information, the storage of segments, segment names, and video images and Histomi provides time codes.

Histomi does not teach the use of attempted extraction and the use of non-extracted or rejected data.

5. However, Herz teaches the use of attempted extraction and the use of non-extracted or rejected data as follows:

"...make an attempt to extract a piece of numerical information..." at col. 28, lines 25-28, col. 28, lines 35-39, col. 48, lines 47-51, and col. 49, lines 27-30.

"...has not been extracted from the read piece of data..." at col. 32, lines 62-67, col. 28, lines 35-39, col. 40, lines 41-44, and col. 48, lines 47-51.

It would have been obvious to one of ordinary skill at the time of the invention to combine Herz with Miike and Hisatomi to use discretion in the extraction of information in order to select only pieces of information, which contain meaningful data and avoid

improper processing of data. Miike, Hisatomi, and Herz teach related applications. They teach the use of computers, the use of memory, the use of files, the use of segments, the storing of data, the searching for data, and the use of video and Hisatomi and Herz teach the use of packets. Miike provides file storage units, position information, the storage of segments, segment names, and video images, Hisatomi provides time codes, and Herz provides the discretionary extraction of information.

6. As per claims 31, 35, and 39 the "...segment judging unit further reads another piece of data from the file stored in the file storage unit..." is taught by Miike at col. 63, lines 32-39, col. 38, lines 15-18, and col. 21, lines 53-56, the "...extracts a piece of numerical information..." is taught by Miike at col. 21, lines 16-21 and col. 64, lines 48-52, the "...being a time code..." is taught by Hisatomi at col. 20, lines 49-54, the "...from said another piece of data..." is taught by Miike at col. 12, lines 58-65, the "...and judges whether the extracted two time codes..." is taught by Hisatomi at col. 17, lines 44-47, col. 14, lines 38-44, and col. 20, lines 49-54, the "...are continuous in time series..." is taught by Miike at col. 16, lines 21-28 and col. 72, lines 59-61, the "...and the segment generating unit further generates a segment..." is taught by Miike at col. 68, lines 32-39 and col. 48, lines 54-58, the "...that contains the read two pieces of video data..." is taught by Miike at col. 38, lines 15-18, col. 22, lines 17-19, and col. 42, lines 54-57, the "...if the segment judging unit judges..." is taught by Miike at col. 68, lines 32-39,

and the "...that the two time codes are continuous..." is taught by Hisatomi at col. 20, lines 49-54 and co. 8, lines 54-61.

7. As per claim 32, the "...a position information storage unit..." is taught by Miike at col. 21, lines 39-52, the "...position obtaining unit operable..." is taught by Miike at col. 13, lines 15-18, the "...if the segment judging unit judges..." is taught by Miike at col. 13, lines 15-28, the "...that the two pieces of numerical information are continuous..." is taught by Miike at col. 22, lines 17-19, col. 64, lines 43-52, and col. 16, lines 21-28, the "...to obtain two pieces of position information respectively..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52, the "...of the two pieces of data from the file storage unit..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52, the "...and a position information write unit operable to..." is taught by Miike at col. 21, lines 39-52 and col. 36, lines 61-65, the "...recognizing the two pieces of data as the segment..." is taught by Miike at col. 61, lines 55-63, col. 22, lines 17-19, and col. 68, lines 32-39, the "...generate a segment name..." is taught by Miike at col. 48, lines 54-58, col. 68, lines 32-39, and col. 61, lines 64-67, the "...for identifying the recognized segment..." is taught by Miike at col. 13, lines 62-66, col. 61, lines 55-63, and col. 68, lines 32-39, the "...and write into the position information storage unit..." is taught by Miike at col. 36, lines 61-65 and col. 21, lines 39-52,

the "...segment name..." is taught by Miike at col. 68, lines 32-39 and col. 61, lines 64-67,

the "...and the two pieces of position information..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52,

the "...as an entry that corresponds to the segment name..." is taught by Miike at col. 39, lines 3-6, col. 46, lines 34-42, col. 68, lines 32-39, and col. 61, lines 64-67,

the "...two pieces of position information..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52,

and the "...indicating a storage position of the segment..." is taught by Miike at col. 19, lines 32-40, col. 21, lines 39-52, and col. 68, lines 32-39.

8. As per claims 36 and 40, the "...a position information storage unit..." is taught by Miike at col. 21, lines 39-52,

the "...position obtaining step for..." is taught by Miike at col. 13, lines 15-18,

the "...if the segment judging unit judges..." is taught by Miike at col. 13, lines 15-28,

the "...that the two time codes are continuous..." is taught by Hisatomi at col. 20, lines 49-50 and col. 8, lines 54-61,

the "...obtaining storage positions..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52,

the "...of the two pieces of video data from the file storage unit..." is taught by Miike at col. 22, lines 17-19, col. 54, lines 54-57, and col. 21, lines 39-52,

the "...and a position information write step for..." is taught by Miike at col. 21, lines 39-52 and col. 36, lines 61-65,

the "...recognizing the two pieces of video data as the segment..." is taught by Miike at col. 61, lines 55-63, col. 22, lines 17-19, col. 42, lines 54-57, and col. 68, lines 32-39,

the "...generating a segment name..." is taught by Miike at col. 48, lines 54-58, col. 68, lines 32-39, and col. 61, lines 64-67,

the "...for identifying the recognized segment..." is taught by Miike at col. 13, lines 62-66, col. 61, lines 55-63, and col. 68, lines 32-39,

the "...and writing into the position information storage unit..." is taught by Miike at col. 36, lines 61-65 and col. 21, lines 39-52,

the "...segment name..." is taught by Miike at col. 68, lines 32-39 and col. 61, lines 64-67,

the "...and the two pieces of position information..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52,

the "...as an entry that corresponds to the segment name..." is taught by Miike at col. 39, lines 3-6, col. 46, lines 34-42, col. 68, lines 32-39, and col. 61, lines 64-67,

the "...two pieces of position information..." is taught by Miike at col. 22, lines 17-19 and col. 21, lines 39-52,

and the "...indicating storage positions of the segment..." is taught by Miike at col. 19, lines 32-40, col. 21, lines 39-52, and col. 68, lines 32-39.

9. Claims 1, 2, 6-9, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miike, Hisatomi, and Herz as applied to claim 32 above, and further in view of Furegati et al. (U.S. Patent No. 5,966,704).

As per claim 1, the "...specifying a segment name..." is taught by Miike at col. 21, lines 66-67. col. 22, lines 1-3, and col. 68, lines 32-39, the "...position information read unit operable to read from the position information storage unit..." is taught by Miike at col. 21, lines 39-52 and col. 38, lines 15-18, the "...piece of position information..." is taught by Miike at col. 21, lines 39-52, the "...corresponding to the segment name..." is taught by Miike at col. 46, lines 34-42, col. 68, lines 32-39, and col. 61, lines 64-67, the "...in the file storage unit..." is taught by Miike at col. 21, lines 53-56, the "...by referring to the read piece of position information..." is taught by Miike at col. col. 38, lines 15-18 and col. 21, lines 39-52, but the "...an access request receiving unit operable to receive a segment access request..." the "...specified in the segment access request..." and the "...and a segment access unit operable to access a segment..." are not taught by either Miike, Hisatomi, or Herz.

However, Furegati teaches the use of segment access requests as follows:
"...The database management system (DBMS) or file system used for the implementation of a particular storage segment may have facilities for handling different access requests from different applications to various data items of the same storage segment in parallel access paths (threads) at the same time..." at col. 13, line 4-9.

It would have been obvious to one of ordinary skill at the time of the invention to combine Furegati with Miike, Hisatomi, and Herz to receive segment access requests in order to use standard search technology and obtain better acceptance of the system.

Miike, Hisatomi, Herz, and Furegati teach similar applications. They teach the use of computers, the use of memory, the use of files, the use of segments, the storing of data, the searching for data, and the use of video. Miike provides file storage units, position information, the storage of segments, segment names, and video images, Histomi provides time codes, Herz provides the discretionary extraction of information, and Furegati provides segment access requests.

10. As per claim 2, the "...wherein the piece of numerical information contained in each piece of data..." is taught by Miike at col. 64, lines 48-52 and col. 22, lines 17-19,

the "...stored in the file storage unit is a timecode..." is taught by Miike at col. 21, lines 53-56 and col. 13, lines 55-61,

the "....file management apparatus further comprising..." is taught by Furegati at col. 5, lines 55-59,

the "...an access request receiving unit operable to receive a segment access request..." is taught by Furegati at col. 13, lines 4-9,

the "...specifying a segment name..." is taught by Miike at col. 21, lines 66-67. col. 22, lines 1-3, and col. 68, lines 32-39,

the "...position information read unit operable to read from the position information storage unit..." is taught by Miike at col. 21, lines 39-52 and col. 38, lines 15-18,

the "...piece of position information..." is taught by Miike at col. 21, lines 39-52,

the "...corresponding to the segment name..." is taught by Miike at col. 46, lines 34-42, col. 68, lines 32-39, and col. 61, lines 64-67,

the "...specified in the segment access request..." is taught by Furegati at col. 13, lines 4-9,

the "...and a segment access unit operable to access a segment..." is taught by Furegati at col. 13, lines 4-9,

the "...in the file storage unit..." is taught by Miike at col. 21, lines 53-56,

and the "...by referring to the read piece of position information..." is taught by Miike at col. 38, lines 15-18 and col. 21, lines 39-52.

are not taught by Miike.

11. As per claim 6, the "...wherein the piece of numerical information contained in each piece of data..." is taught by Miike at col. 22, lines 17-19 and col. 64, lines 48-52,

the "...stored in the file storage unit is a timecode..." is taught by Miike at col. 21, lines 53-56 and col. 13, lines 55-61,

the "...and the file storage unit further stores..." is taught by Miike at col. 13, lines 55-61, the "...as an entry that corresponds to a file name of the file..." is taught by Miike at col. 36, lines 42-47,

the "...position information that indicates a storage position of the file in the file storage unit..." is taught by Miike at col. 21, lines 39-52 and col. 21, lines 53-56,

the "...file management apparatus further comprising..." is taught by Furegati at col. 5, lines 55-59,

the "...an access request receiving unit operable to receive an access request..." is taught by Furegati at col. 13, lines 4-9,

the "...specifying an access target name..." is taught by Miike at col. 12, lines 29-46 and col. 6, lines 64-67,

the "...which is either a segment name or a file name..." is taught by Miike at col. 68, lines 32-39, col. 6, lines 64-67, and col. 36, lines 42-47,

the "...judgement unit operable to judge whether the access target name..." is taught by Miike at col. 68, lines 32-39, col. 68, lines 32-39, and col. 6, lines 64-67,

the "...is a segment name or a file name..." is taught by Miike at col. 68, lines 32-39, col. 6, lines 64-67, and col. 36, lines 42-47,

the "...position information read unit operable to read..." is taught by Miike at col. 21, lines 39-52 and col. 38, lines 15-18,

the "...from either the first position information storage unit..." is taught by Miike at col. 21, lines 39-52,

the "...or the second position information storage unit..." is taught by Miike at col. 21, lines 39-52,

the "...piece of position information corresponding to the access target name..." is taught by Miike at col. 21, lines 39-52, col. 68, lines 32-39, and col. 6, lines 64-67,

the "...judged by the judgement unit..." is taught by Miike at col. 21, lines 53-56,

the "...and an access unit operable to access..." is taught by Miike at col. 11, lines 52-60,

the "...either a segment or a file stored in the file storage unit..." is taught by Miike col. 68, lines 32-39 and col. 21, lines 53-56,

and the "...by referring to the read piece of position information..." is taught by Miike at col. 38, lines 15-18 and col. 13, lines 15-18.

12. As per claim 7, the "...the judgement unit judges that the access target name..." is taught by Miike at col. 21, lines 53-56, col. 12, lines 29-46, and col. 6, lines 64-67,

the "...is a segment name..." is taught by Miike at col. 68, lines 32-39, col. 6, lines 64-67,

the "...when the access target name includes a name of a file..." is taught by Miike at col. 12, lines 29-46, col. 6, lines 64-67, and col. 36, lines 42-47,

the "...stored in the file storage unit..." is taught by Miike at col. 21, lines 53-36, and the "...and a character sequence..." is taught by Miike at col. 51, lines 29-37 and col. 54, lines 26-29,

and the "...indicating a serial number of a segment in the file..." is taught by Furegati at col. 13, lines 19-24, col. 13, lines 47-49, and col. 6, lines 31-34.

13. As per claim 8, the "...a file obtaining unit operable to obtain files..." is taught by Miike at col. 11, lines 52-60, the "...which each include a plurality of pieces of video data..." is taught by Miike at col. 15, lines 29-32,

the "...that have each been assigned a timecode..." is taught by Miike at col. 13, lines 55-61,

the "...and store the obtained files in a file storage unit..." is taught by Miike at 21, lines 53-56,

the "...segment access request receiving unit operable to receive a segment access request specifying a segment..." is taught by Furegati at col. 13, lines 4-9, a position information read unit operable to read, from the position information storage unit, a piece of position information..." is taught by Miike at col. 13, lines 15-18 and col. 38, lines 15-18,

the "...corresponding to the segment specified in the segment access request..." is taught by Furegati at col. 13, lines 4-9,

the "...and a segment access unit operable to access the segment in the file storage unit..." is taught by Miike at col. 68, lines 32-39, col. 11, lines 52-60, and col. 21, lines 52-56,

and the "...by referring to the read piece of position information..." is taught by Miike at col. 38, lines 15-18 and col. 13, lines 15-18.

14. As per claim 9, the "...file obtaining unit operable to obtain files..." is taught by Miike at col. 11, lines 52-60, the "...which each include a plurality of pieces of video data...", is taught by Miike at col. 15, lines 29-32,

the "...that have each been assigned a timecode..." is taught by Miike at col. 13, lines 55-61,

the "...and store the obtained files in a file storage unit..." is taught by Miike at 21, lines 53-56,

the "...segment access request receiving unit operable to receive a segment access request specifying a segment..." is taught by Furegati at col. 13, lines 4-9,

the "...segment set access unit operable to access the segment set in the file storage unit..." is taught by Miike at col. 68, lines 32-39, col. 28, lines 43-48, col. 11, lines 52-60, and col. 21, lines 52-56,

and the "...by referring to the piece of position information of the segment set..." is taught by Miike at col. 76, lines 50-56, col. 13, lines 15-18, col. 68, lines 32-39, col. 28, lines 43-48.

15. As per claim 16, the "...position information storage unit stores position information..." is taught by Miike at col. 21, lines 39-52, the "...that indicates a position of a free space storing no data..." is taught by Hisatomi at col. 8, lines 6-15 and col. 11, lines 53-60, the "...file management apparatus further comprising..." is taught by Feragati at col. 5, lines 55-59, the "...an add request receiving unit operable to receive a segment add request..." is taught by Furegati at col. 4, lines 8-15 and col. 5, lines 55-59, the "...which requests to add a new segment to a file..." is taught by Miike at col. 14, lines 27-31, col. 22, lines 53-55, col. 68, lines 32-39, and col. 21, lines 53-56, the "...segment obtaining unit operable to obtain a new segment..." is taught by Miike at col. 22, lines 53-58 and col. 68, lines 32-39, the "...position information read unit operable to read, from the position information storage unit..." is taught by Miike at col. 21, lines 39-52 and col. 38, lines 15-18, the "...piece of free space position information..." is taught by Hisatomi at col. 11, lines 53-60 and col. 8, lines 6-15,

the "...and a segment add unit operable to add the new segment..." is taught by Miike at col. 68, lines 22-39, col. 14, lines 27-31, and col. 22, lines 53-55,
the "...to the file storage unit..." is taught by Miike at col. 21, lines 53-56,
and the "...by referring to the read piece of free space position information..." is taught by Hisatomi at col. 16, lines 25-27, col. 11, lines 53-60, and col. 8, lines 6-15.

16. As per claim 17, the "...position information storage unit stores position information..." is taught by Miike at col. 13, lines 15-18,
the "...that indicates a position of a free space storing no data..." is taught by Histomi at col. 11 lines 53-60 and col. 2, lines 10-22,
the "...file management apparatus further comprising..." is taught by Furegati at col. 5, lines 55-59,
the "...add request receiving unit operable to receive a segment set add request..." is taught by Furegati at col. 2, lines 62-66, col. 13, lines 4-9, col. 4, lines 43-45, and col. 8, lines 39-43,
the "...specifying (1) an add destination file..." is taught by Miike at col. 14, lines 27-31, col. 15, lines 65-67, col. 16, lines 1-7, and col. 48, lines 35-38,
and the "...and (2) a source file including a segment set..." is taught by Miike at col. 48, lines 35-38, col. 68, lines 32-39, and col. 28, lines 43-48,
the "...which is to be added to the add destination file..." is taught by Miike at col. 14, lines 27-31, col. 15, lines 65-67, col. 16, lines 1-7, and col. 48, lines 35-38,
the "...position information read unit operable to read, from the position information storage unit..." is taught by Miike at col. 21, lines 39-52 and col. 38, lines 15-18,

the "...piece of free space position information indicating a position of a free space...," is taught by Histomi at col. 11, lines 53-60 and col. 2, lines 10-22,

the "...of the specified add destination file..." is taught by Miike at col. 14, lines 27-31, col. 15, lines 65-67, col. 16, lines 1-7, and col. 48, lines 35-38,

the "...segment set extract unit operable to extract all segments..." is taught by Miike at col. 68, lines 32-39, col. 23, lines 43-48, col. 13, lines 10-14, and col. 22, lines 47-52,

the "...included in the source file as a segment set..." is taught by Miike at col. 48, lines 35-38, col. 68, lines 32-39, and col. 28, lines 43-48,

the "...by referring to the pieces of segment position information stored in the position information storage unit..." is taught by Miike at col. 38, lines 15-18, col. 68, lines 32-39, and col. 21, lines 39-52,

the "...and a segment set add unit operable to add the extracted segment set..." is taught by Miike at col. 68, lines 32-39, col. 23, lines 43-48, and col. 13, lines 10-14,

the "...to the free space..." is taught by Histomi at col. 11, lines 53-60,

and the "...by referring to the read piece of free space position information..." by Histomi at col. 11, lines 41-49, col. 11, lines 53-60, and col. 2, lines 10-22.

17. As per claim 18, the "...position information storage unit stores position information..." is taught by Miike at col. 13, lines 15-18, the "...that indicates a position of a free space storing no data..." is taught by Histomi at col. 11 lines 53-60 and col. 2, lines 10-22, the "...file management apparatus further comprising..." is taught by Furegati at col. 5, lines 55-59,

the "...add request receiving unit operable to receive a file add request..." is taught by Furegati at col. 2, lines 62-66, col. 13, lines 4-9, col. 4, lines 43-45, col. 8, lines 39-43, and col. 9, lines 50-55,

the "...specifying (1) an add destination file..." is taught by Miike at col. 14, lines 27-31, col. 15, lines 65-67, col. 16, lines 1-7, and col. 48, lines 35-38,

the "...and (2) a source file..." is taught by Miike at col. 48, lines 35-38,

the "...which is to be added to the add destination file..." is taught by Miike at col. 14, lines 27-31, col. 15, lines 65-67, col. 16, lines 1-7, and col. 48, lines 35-38,

the "...position information read unit operable to read, from the position information storage unit..." is taught by Miike at col. 21, lines 39-52 and col. 38, lines 15-18,

the "...piece of free space position information indicating a position of a free space..." is taught by Histomi at col. 11, lines 53-60 and col. 2, lines 10-22,

the "...of the specified add destination file..." is taught by Miike at col. 14, lines 27-31, col. 15, lines 65-67, col. 16, lines 1-7, and col. 48, lines 35-38,

the "...file add unit operable to add the source file..." is taught by Miike at col. 14, lines 27-31 and col. 48, lines 35-38,

the "...to the free space..." is taught by Histomi at col. 11, lines 53-60,

and the "...by referring to the read piece of free space position information..." by Histomi at col. 11, lines 41-49, col. 11, lines 53-60, and col. 2, lines 10-22.

18. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miike, Hisatomi, Herz, and Furegati as applied to the claims above, and further in view of Rusterholz et al. (U.S. Patent No. 4,873,630).

As per claim 3, the "...each piece of segment position information..." is taught by Miike at col. 68, lines 32-39 and col. 21, lines 39-52,

the "...includes (1) an address indicating a file start storage position of a file..." is taught by Miike at col. 33, lines 43-48,

the "...to which the segment belongs..." is taught by Miike at col. 40, lines 31-32,

the "...indicating a size of a portion..." is taught by Miike at col. 40, lines 13-39 and col. 42, lines 19-20,

the "...indicating a size of a portion..." is taught by Miike at col. 40, lines 13-39 and col. 42, lines 19-20,

the "...and an end of the segment..." is taught by Miike at col. 58, lines 19-20, col. 68, lines 32-39,

the "...indicating a size of a portion..." is taught by Miike at col. 40, lines 13-39 and col. 42, lines 19-20,

the "...and (c) a size of the segment..." is taught by Miike at col. 40, lines 13-39 and col. 68, lines 32-39,

but the "...and either (2-1) (a) an address offset..."

the "...between the file start and a start of the segment..."

the "...and (b) an address offset..."

the "...between the file start

the "...or (2-2) (a) an address offset

the "...between the file start and a start of the segment..." are not taught by either Miike, Hisatomi, Herz, or Furegati.

However, Rusterholz teaches the use of address offsets, the start of files, and the start of segments as follows:

"...FIG. 43 illustrates the distribution of addressing information and offset information for jump instructions..." at col. 74, lines 3-4.

"...Next, the CVLP comes from the file address as does the RLMZ on an ALT 2 transfer..." at col. 135, lines 67-68 and col. 136, line 1.

"...The upper 18 bits are called the Segment Address..." at col. 64, lines 47-48.

It would have been obvious to one of ordinary skill at the time of the invention to combine Rusterholz with Miike, Hisatomi, Herz, and Furegati to use offsets, file addresses, and segment address in order to control addressing of sequential entities in memory and provide greater flexibility in retrieving sequential entities from memory. Miike, Hisatomi, Herz, Furegati, and Rusterholz teach the use of related applications. They teach the use of computers, the use of files, the use of segments, the storing of data, and the searching for data and Miike, Furegati, and Rusterholz teach the processing of requests. Miike provides file storage units, position information, the storage of segments, segment names, and video images, Histomi provides time codes, Herz provides the discretionary extraction of information, Furegati provides segment access requests, and Rusterholz provides offsets, file addresses, and segment address.

19. As per claim 4, the "...a receiving unit operable to receive a segment name obtainment request..." is taught by Rusterholz at col. 46, lines 39-44, col. 39, lines 35-39, and col. 256, lines 9-10,

the "...and a segment name output unit operable to..." is taught by Rusterholz at col. 39, lines 35-39 and col. 174, lines 23-25,

the "...after the receiving unit receives the segment name obtainment request..." is taught by Rusterholz at col. 46, lines 39-44, col. 39, lines 35-39, and col. 256, lines 9-10,

the "...refer to the position information storage unit..." is taught by Miike at col. 33, lines 43-48,

the "...and output to outside the file management apparatus..." is taught by Rusterholz at col. 174, lines 23-25 and col. 171, lines 25-27,

the "...a list of segment names..." is taught by Rusterholz at col. 91, lines 56-58 and col. 39, lines 35-39,

the "...which each include at least (1) a file name of a file..." is taught by Miike at col. 36, lines 42-47,

the "...to which the segment belongs..." is taught by Miike at col. 68, lines 32-35,

the "...and (2) a character sequence..." is taught by Rusterholz at col. 36, line 63,

the "...which indicates a position of the segment..." is taught by Miike at col. 33, lines 43-48 and col. 68, lines 32-39,

and the "...in one or more segments belonging to the file..." is taught by Rusterholz at col. 40, lines 31-32.

20. As per claim 5, the "...the position information storage unit..." is taught by Miike at col. 33, lines 43-48,

the "...stores a table showing relationships..." is taught by Furegati at col. 7, lines 49-52, col. 1, lines 65-67, and col. 2, line 1,

the "...between (1) file names of files to which the segments belong..." is taught by Miike at col. 36, lines 42-4, col. 68, lines 32-39,

the "...(2) serial numbers of the segments in the files..." is taught by Furegati at col. 13, lines 19-24, col. 13, lines 47-49, and col. 6, lines 31-34,

the "...which are assigned in order of storage in the files..." is taught by Rusterholz at col. 230, lines 1-4 and col. 53, lines 7-9,

the "...and (3) pieces of position information..." is taught by Miike at col. 13, lines 15-18,

the "...and the position information read unit..." is taught by Miike at col. 13, lines 13-15 and col. 2, lines 7-11,

the "...after receiving a segment name..." is taught by Rusterholz at col. 39, lines 35-39,

the "...refers to the table to detect a piece of position information..." is taught by Miike at col. 36, lines 11-13 and col. 13, lines 15-18,

the "...that corresponds to a file name..." is taught by Miike at col. 36, lines 42-47,

the "...and a serial number of the segment..." is taught by Furegati at col. 13, lines 19-24, col. 13, lines 47-49, and col. 6, lines 31-34,

the "...which are included in the segment name..." is taught by Rusterholz at col. 39, lines 35-39,

and the "...and reads the detected piece of position information from the table..." is taught by Rusterholz at col. 54, lines 17-19, col. 137, lines 38-41, and col. 39, lines 35-39.

21. Claims 33, 37, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miike, Hisatomi, and Herz as applied to the claim above, and further in view of Slattery et al. (U.S. Patent No. 6,064,676).

As per claim 33, the "...if the segment judging unit judges..." is taught by Miike at col. 13, lines 15-28,

the "...that the two pieces of numerical information..." is taught by Miike at col. 22, lines 17-19, col. 64, lines 43-52,

the "...segment generating unit generates a segment..." is taught by Miike at col. 48, lines 54-58 and col. 68, lines 32-39,

the "...that contains one of the read two pieces of data..." is taught by Miike at col. 38, lines 15-18 and col. 22, lines 17-19,

the "...and generates another segment..." is taught by Miike at col. 48, lines 54-58 and col. 68, lines 32-39,

and the "...that contains the other of the read two pieces of data..." is taught by Miike at col. 38, lines 15-18 and col. 22, lines 17-19,

but the are not continuous..." is not taught by either Miike, Hisatomi, or Herz.

However, Slattery teaches the processing of non-continuous data as follows:

"...In such a case, the descriptors in the transmit queue will have actual transmit times corresponding to a non-continuous sequence of transport packet time slots of the outputted remultiplexed TS..." at col. 41, lines 59-63.

It would have been obvious to one of ordinary skill at the time of the invention to combine Slattery with Miike, Hisatomi, and Herz to process non-continuous data in order to process a sequence of video segments whenever the order of the segments is

scrambled by transmission between systems. Miike, Hisatomi, Herz, and Slattery teach related applications. They teach the use of computers, the use of memory, the use of files, the storing of data, and the use of video Hisatomi, Herz, Slattery teach the use of packets. Miike provides file storage units, position information, the storage of segments, segment names, and video images, Histomi provides time codes, Herz provides the discretionary extraction of information, and Slattery provides processing of non-continuous data.

22. As per claims 37 and 41, the "...if the segment judging step judges...", is taught by Miike at col. 13, lines 15-28,
the "...that the two time codes...", is taught by Hisatomi at col. 24, lines 20-22 and col. 20, lines 49-54,
the "...are not continuous...", is taught by Slattery at col. 41, lines 59-63,
the "...segment generating unit generates a segment...", is taught by Miike at col. 48, lines 54-58 and col. 68, lines 32-39,
the "...that contains one of the read two pieces of video data...", is taught by Miike at col. 38, lines 15-18 and col. 22, lines 17-19,
the "...and generates another segment...", is taught by Miike at col. 48, lines 54-58, col. 68, lines 32-39, and col. 42, lines 54-57,
and the "...that contains the other of the read two pieces of video data...", is taught by Miike at col. 38, lines 15-18, col. 22, lines 17-19, and col. 42, lines 54-57.

23. Claims 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miike et al. (U.S. Patent No. 5,787,414), Hisatomi et al. (U.S. Patent No. 6,546,192), and Rusterholz et al. (U.S. Patent No. 4,873,630).

24. Miike renders obvious independent claim 43 as follows:

"...groups the plurality of pieces of video data into video segments..." at col. 41, lines 53-56, col. 22, lines 17-19, col. 42, lines 54-57, and col. 68, lines 32-39.

"...of pieces of video data..." at col. 22, lines 17-19 and col. 42, lines 54-57.

"...associates a unique segment name..." at col. 14, lines 33-38, col. 60, lines 35-40, and col. 61, lines 64-67.

"...with each video segment within the file..." at col. 42, lines 54-57, col. 68, lines 32-39, and col. 21, lines 53-56.

"...such that each segment name..." at col. 60, lines 35-40 and col. 61, lines 64-67.

"...can be used to read or replace the associated segment within the file..." at col. 38, lines 15-18, col. 47, lines 54-63, col. 14, lines 33-38, col. 61, lines 64-67, and col. 21, lines 53-56.

Miike does not teach the use of file management systems, the use of time codes, and the scanning of a file for discontinuities.

25. However, Hisatomi teaches the use of file management systems and the use of time codes as follows:

"...the file management system..." at col. 5, lines 37-45.

"...between time codes..." at col. 20, lines 59-54.

"...the file management system..." at col. 5, lines 37-45.

It would have been obvious to one of ordinary skill at the time of the invention to combine Hisatomi with Miike to use of file management system in order to provide system level file management and make the system more user friendly. Likewise, it would have been obvious to one of ordinary skill at the time of the invention to combine Hisatomi with Miike to use time codes in order to designate the sequence of video segments in time order and reestablish this time order whenever the order of the segments is scrambled by transmission between systems. Miike and Hisatomi teach related applications. They teach the use of computers, the use of memory, the use of files, the use of segments, the storing of data, the searching for data, and the use of video. Miike provides files, segment names, and video images, and the reading and replacing of data and Histomi provides a system management system and time codes.

Hisatomi does not teach the scanning of the file for discontinuities.

26. However, Rusterholz teaches scanning of the file for discontinuities as follows:

"...by scanning the file for discontinuities..." at col. 224, lines 63-66 and col. 265, lines 4-8.

It would have been obvious to one of ordinary skill at the time of the invention to combine Rusterholz with Miike and Hisatomi to scan a file for discontinuities in order to detect whenever the sequence of video segments in time order has been scrambled by transmission between systems. Miike, Hisatomi, and Rusterholz teach the use of related applications. They teach the use of computers, the use of memories, the use of files, the use of segments, the storing of data, and the searching for data and Miike and

Rusterholz teach the processing of requests. Miike provides files, segment names, and video images, and the reading and replacing of data, Histomi provides file management systems and time codes, and Rusterholz provides scanning of files for discontinuities.

27. As per claim 44, the "...file management system..." is taught by Hisatomi at col. 5, lines 37-45,

the "...associates a file name with the video data file..." is taught by Miike at col. 14, lines 33-38, col. 21, lines 53-56, col. 60, lines 35-40, and col. 42, lines 54-57,

the "...and each segment name comprises the file name of the video data file..." is taught by Miike at col. 61, lines 64-67, col. 60, lines 35-40, col. 21, lines 53-56, col. 42, lines 54-57,

and the "...and a serial number..." is taught by Hisatomi at col. 5, lines 66-67 and col. 6, lines 1-2,

"...unique to that segment within the data file..." is taught by Miike at col. 60, lines 35-40, col. 61, lines 64-67, and col. 21, lines 53-56.

28. As per claim 45, the "...file management system..." is taught by Hisatomi at col. 5, lines 37-45,

the "...provides read and write access..." is taught by Rusterholz at col. 34, lines 53-55 and col. 40, lines 5-7,

the "...to an individual video segment within the video data file..." is taught by Miike at col. 42, lines 54-57, col. 61, lines 64-67, and col. 21, lines 53-56,

and the "...via the associated segment name..." is taught by Miike at col. 14, lines 33-38, col. 61, lines 64-67, and col. 60, lines 35-40.

Allowable Subject Matter

29. Claims 34, 38, and 42 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

30. Claims 10-15, 19, and 20 are objected to as being based on claim 34. Claims 10-15, 19, and 20 would be allowable if claim 34 is rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

31. Applicants' arguments filed 4 March 2005 have been fully considered but they are not persuasive. In the first argument for independent claims 43-45 on page 20, paragraphs 3-5 and page 21, paragraph 1, the Applicants state:

"The Office Action acknowledges that neither Miike nor Hisatomi teach scanning a file for discontinuities, but asserts that col. 224, lines 63-66 ad col. 265, lines 4-8 of Rusterholz satisfy "by scanning the file for discontinuities" The Applicants respectfully assert that this is not what is taught or suggested by Rusterholz. Col. 224, lines 63-66 of Rusterholz recites: "But first let us define a pass. A pass is so called because it is a pass through a Vector File. More specifically, a single scan through a vector register of the Vector File." That portion of Rusterholz is part of a section discussing a single precision floating point divide operation that involves eight different passes. When performing the operation, it takes four passes across the Vector file to access an entire vector, because each vector is actually stored physically in four rows in the Vector File. As such, the cited portion of Rusterholz teaches reading a vector stored in four segments by reading four rows from the Vector File. It does not teach scanning of a file for discontinuities, and, more particularly, does not show grouping a plurality of pieces of video data into video segments by scanning the file for discontinuities between time codes of pieces of video data. Scanning alone is insufficient to satisfy the claim, as would be scanning for discontinuities. Grouping by scanning for discontinuities is what is claimed."

Col. 265, lines 4-8 of Rusterholz recites: "Since the primary Vector File has the exact same data as a secondary Vector File, we can send more data at a time and because of the way that the data is transferred you can send discontinuous data, which is the way that it is sent across." This citation teaches transmission of discontinuous data, but does not teach scanning a file for discontinuities. Moreover, the manner of transmission of

data which allows discontinuous data to be sent, prevents any need to scan the transmitted data for discontinuities. Furthermore, even if there were a teaching, suggestion, or motivation to scan for discontinuities, the recitations of claim 43 would not be satisfied as the claim recites grouping by scanning for discontinuities, not simply scanning for discontinuities."

The Examiner disagrees. Rusterholz teaches the limitation "by scanning the file for discontinuities" as follows:

"...A pass is so-called because it is a pass through a Vector File. More specifically, a single **scan** through a vector register of the **Vector File**..." at col. 224, lines 63-66.

"...Since the primary Vector File has the exact same data as a secondary **Vector File** we can send more data at a time and because of the way that the data is transferred you can send **discontinuous data**, which is the way that it is sent across..." at col. 265, lines 4-8.

The scan through the vector register is essentially a scan through the vector file.

Rusterholz teaches the potential for discontinuous data is the vector file. The combining of these two references suggests the scanning of the vector file for discontinuous data.

32. In the second argument for independent claims 43-45 on page 21, paragraph 2, the Applicants state:

"The Office Action does not rely on any teaching or suggestion by the cited references as a basis for justifying the combination of references. Instead, it asserts that there is a reason to combine the references with the reason being the ability to detect whether a sequence of video segments in time order has been scrambled by transmission between systems. However, it does this without any reference showing transmission of video data between systems, transmission of video data in a manner that causes it to become scrambled, and without any showing as to why, if such fictitious video data were stored in file in scrambled manner, there would be a need to unscramble it. Moreover, the claim recites grouping by scanning, and assigning segment names to the groups thus formed. Wanting to unscramble a scrambled transmission does not provide motivation for assigning a separate segment name based on detected discontinuities, or a reason why one would want to reference segments, that are the result of a scrambled

transmission, by an assigned segment name after unscrambling. As such, there is no reason to combine the reference to form a file management system that: (a) groups a plurality of pieces of video data into video segments by scanning a file already stored on the file system for discontinuities between time codes of pieces of video data, and then (b) associates a unique segment name with each video segment within the file such that each segment name can be used to read or replace the associated segment within the file."

The Examiner disagrees. The Rusterholz reference teaches the limitation "by scanning the file for discontinuities". The question is how discontinuities might be introduced into a stream of data. Histomi teaches the use of packets for the transmission of data. It is well known in the art that when a stream of data is transmitted in packets the transmission of any individual packet may fail and have to be retransmitted. Likewise, the transmission of packets is not held up if any of the individual previous packets failed to be transmitted. This causes scrambling of data during transmission since packets, which are successfully transmitted during an initial transmission may arrive before the retransmitted packets. Rusterholz provides a means of descrambling the data, which was sent using packets.

33. In the third argument for independent claims 43-45 on page 21, paragraph 3 and page 22, paragraph 1, the Applicants state:

"Claim 44 recites in part: "each segment name comprises the file name of the video data file and a serial number unique to that segment within the data file." In rejecting this claim, the Office Action points to Miike for satisfying "and each segment name comprises the file name of the video data file" and Hisatomi as satisfying "and a serial number". However, the Office Action provides no teaching, suggestion, or motivation to utilize the serial number of Hisatomi in combination with the file name of Miike as a segment name, or any reason to utilize such segments names to reference segments formed by scrambling during transmission. Moreover, the "serial number" of Hisatomi is a manufacturers serial number. As such it would not be unique to a segment with a data file as recited by the claim."

The Examiner disagrees. The third argument is essentially a repeat of the second argument. For this reason, the response to the second argument is valid as a response to the third argument.

34. In the fourth argument for independent claims 43-45 on page 22, paragraph 2, the Applicants state:

"Claim 45 recites in part: "the file management system provides read and write access to an individual video segment within the video data file via the associated segment name." If segments are formed as a result of scrambling, and time codes assigned to facilitate reordering, there is no need to provide read and write access to individual video segments, or to provide such access via a segment name that is a composite of a file name and unique identifier."

The Examiner disagrees. The fourth argument is essentially a repeat of the second argument. For this reason, the response to the second argument is valid as a response to the fourth argument.

Conclusion

35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

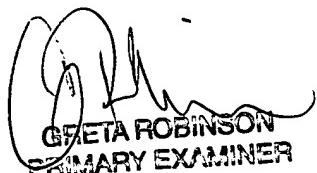
36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (571)-272-4110. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571)-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harold E. Dodds, Jr.

Harold E. Dodds, Jr.
Patent Examiner
June 20, 2005



GRETA ROBINSON
PRIMARY EXAMINER